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7  
8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 ZUFFA, LLC, a Nevada limited liability  
company,

11 Plaintiff,

12 v.

13 ultimateufc.com, fightufc.com, ufc bouts.com,  
14 ufc supplements.com, ufcevents.com,  
buyufc videos.com, ufcvideo.tv, buyufc.com,  
15 ufc live.com, watchufc.com, ufcblog.com,  
videoufc.com,

16 Defendants.  
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CASE NO.

**COMPLAINT FOR INJUNCTIVE  
RELIEF**

18 For its complaint, Plaintiff Zuffa, LLC alleges as follows:

19 **NATURE OF THE CASE**

20 This is an in rem action against the <ultimateufc.com>, <fightufc.com>, <ufc bouts.com>,  
21 <ufc supplements.com>, <ufcevents.com>, <buyufc videos.com>, <ufcvideo.tv>, <buyufc.com>,  
22 <ufc live.com>, <watchufc.com>, <ufcblog.com> and <videoufc.com> domain names (the  
23 “Defendant Domain Names”) based on the Anti-cybersquatting Consumer Protection Act, 15  
24 U.S.C. § 1125(d). Plaintiff seeks preliminary and permanent injunctive relief and the transfer of  
25 the registrations of the Defendant Domain Names.  
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2. This Court has in rem jurisdiction over the Defendant Domain Names pursuant to 15 U.S.C. § 1125(d) and 28 U.S.C. § 1655 and interpretive case law. Upon information and belief, the Court cannot exercise personal jurisdiction over the registrants of the Defendant Domain Names, as the registrants are located outside of the State of Nevada and/or the registrants' websites are not interactive. As a separate and independent basis for in rem jurisdiction, upon service of this Complaint upon the registrars of the Defendant Domain Names, the registrars will deposit the Defendant Domain Names into the registry of the Court. In addition, the situs of the Defendant Domain Names are, or will be, in this judicial district where the owner of the trademark contained in the Defendant Domain Names are located.

3. Venue is proper in the United States District Court for the District of Nevada under 28 U.S.C. §§ 1391(b) and 1391(c). Venue lies in the unofficial Southern division of this Court.

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5. Upon information and belief, Defendant Domain Name <ultimateufc.com> is an Internet domain name registered by Erik Valenta, who resides in Kent, Ohio.

7. Upon information and belief, Defendant Domain Name <ufcbouts.com> is an Internet domain name registered by Jonathan Abel, state and country of residence unknown.

8. Upon information and belief, Defendant Domain Name <ufcsupplements.com> is an Internet domain name registered through Oneanddone Private Registration, a private registration service, doing business in Chesterbrook, Pennsylvania.

1           9.       Upon information and belief, Defendant Domain Name <ufcevents.com> is an  
2 Internet domain name registered by William Dudley, who resides in Howell, Michigan.

3           10.      Upon information and belief, Defendant Domain Name <buyufcvideos.com> is  
4 an Internet domain name registered by Adam Vasbinder, state and country of residence  
5 unknown.

6           11.      Upon information and belief, Defendant Domain Name <ufcvideo.tv> is an  
7 Internet domain name registered by Digital Mediums, LLC, who resides in Honolulu, Hawaii.

8           12.      Upon information and belief, Defendant Domain Name <buyufc.com> is an  
9 Internet domain name registered by Linda Gaglio, who resides in Fraser, Michigan.

10          13.      Upon information and belief, Defendant Domain Name <ufclive.com> is an  
11 Internet domain name registered through Whois Privacy Protection Service, Inc., a private  
12 registration service, doing business in Bellevue, Washington.

13          14.      Upon information and belief, Defendant Domain Name <watchufc.com> is an  
14 Internet domain name registered by Ryan Ruscetti, who resides in Fountain Hills, Arizona.

15          15.      Upon information and belief, Defendant Domain Name <ufcblog.com> is an  
16 Internet domain name registered by Rob Laidlaw, who resides in Toronto, Canada.

17          16.      Upon information and belief, Defendant Domain Name <videoufc.com> is an  
18 Internet domain name registered through Moniker Privacy Services, a private registration  
19 service, doing business in Pompano Beach, Florida.

20                   **ALLEGATIONS COMMON TO ALL COMPLAINTS**

21          17.      Zuffa, LLC does business as the Ultimate Fighting Championship® (“UFC®”)  
22 brand, both registered trademarks. Zuffa is a private company that promotes Mixed Martial Arts  
23 (“MMA”) contests or exhibitions.

24          18.      MMA contests involve bouts between athletes skilled in the various disciplines of  
25 all martial arts including karate, jiu-jitsu, boxing, kick-boxing, grappling, wrestling and other  
26 combat sports.

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1           19.     The UFC name and logo are trademarks that are owned by Plaintiff and registered  
2 on the Principal Register of the United States Patent and Trademark Office, including, among  
3 others:

4               a.     UFC and design: Registration No. 2,706,754 for entertainment services,  
5               namely, development, organization and production of competitions, performances  
6               and events featuring sports and entertainment; educational services, namely,  
7               providing information on the subject of sports and entertainment; and  
8               b.     UFC: Registration No. 2,645,312 for entertainment services, namely  
9               production of martial arts competitions, events, and information,  
10              (collectively, the “UFC Marks”).

11           20.     These federal trademark registrations have not been abandoned, canceled, or  
12           revoked. Moreover, these federal registrations have become incontestable through the filing of  
13           Section 8 and 15 affidavits in the Patent and Trademark Office.

14           21.     Since 1993, Plaintiff and its predecessors-in-interest have continuously used the  
15           UFC® Marks in connection with advertising and promoting the UFC® brand in the United  
16           States and around the world. Plaintiff and its predecessors-in-interest have spent millions of  
17           dollars to advertise and promote the UFC® Marks in print, broadcast media, and on the Internet  
18           through the UFC® website accessible throughout the United States and around the world at  
19           <ufc.com>, among others.

20           22.     Plaintiff televises many of its MMA contests through pay-per-view, cable and  
21           satellite television channels within the United States and around the world. In addition,  
22           substantial UFC® content, such as UFC® Unleashed, UFC® Fight Night, and UFC® All Access,  
23           is featured on the Spike TV cable television channel, a channel that is available in over 90  
24           million U.S. households.

25           23.     Plaintiff, through its website, offers for sale video downloads of MMA contests  
26           through its UFC® Vault service. This download service is an important source of income for  
27           Plaintiff.

1           24.     Plaintiff, through its website, offers free video, audio and photo downloads of  
2 certain MMA contests through its multimedia page.

3           25.     Plaintiff, through its website, offers for sale numerous products including, but not  
4 limited to, nutritional supplements, DVDs, books, and apparel. This online store is an important  
5 source of income for Plaintiff.

6           26.     In addition, Plaintiff has made extensive use of the UFC® Marks on, among other  
7 things, signage, wearing apparel, souvenirs and promotional materials.

8           27.     Based on its federal trademark registrations and extensive use, Plaintiff owns the  
9 exclusive right to use the UFC® Marks in connection with MMA contests or exhibitions and  
10 related goods and services.

11          28.     The UFC® Marks have become distinctive and famous in the United States and  
12 around the world for MMA contests or exhibitions and related goods and services.

13          29.     On May 18, 2007, Erik Valenta registered the <ultimateufc.com> domain name  
14 with GoDaddy.com, Inc., a registrar of domain names. This domain name contains the UFC®  
15 Marks.

16          30.     On February 12, 2007, Todd Weider registered the <fightufc.com> domain name  
17 with GoDaddy.com, Inc., a registrar of domain names. This domain name contains the UFC®  
18 Marks.

19          31.     On June 3, 2007, Jonathan Abel registered the <ufcbouts.com> domain name with  
20 Melbourne IT, Ltd., a registrar of domain names. This domain name contains the UFC® Marks.

21          32.     On July 4, 2007, Oneandone Private Registration registered the  
22 <ufcsupplements.com> domain name with 1 & 1 Internet AG, a registrar of domain names. This  
23 domain name contains the UFC® Marks.

24          33.     On July 17, 2006, William Dudley registered the <ufcevents.com> domain name  
25 with Rebel.com Corp., a registrar of domain names. This domain name contains the UFC®  
26 Marks.

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1           34.     On May 15, 2008, Adam Vasbinder registered the <buyufcvideos.com> domain  
2 name with Dynadot, LLC, a registrar of domain names. This domain name contains the UFC®  
3 Marks.

4           35.     On June 8, 2007, Digital Mediums, LLC registered the <ufcvideo.tv> domain  
5 name with GoDaddy.com, Inc., a registrar of domain names. This domain name contains the  
6 UFC® Marks.

7           36.     On August 18, 2008, Linda Gaglio registered the <buyufc.com> domain name  
8 with GoDaddy.com, Inc., a registrar of domain names. This domain name contains the UFC®  
9 Marks.

10          37.     On December 8, 2008, Whois Privacy Protection Service, Inc. registered the  
11 <ufclive.com> domain name with eNom379, Incorporated, a registrar of domain names. This  
12 domain name contains the UFC® Marks.

13          38.     On February 13, 2008, Ryan Ruscetti registered the <watchufc.com> domain  
14 name with GoDaddy.com, Inc., a registrar of domain names. This domain name contains the  
15 UFC® Marks.

16          39.     On March 1, 2005, Rob Laidlaw registered the <ufcblog.com> domain name with  
17 GoDaddy.com, Inc., a registrar of domain names. This domain name contains the UFC® Marks.

18          40.     On May 27, 2006, Moniker Privacy Services registered the <videoufc.com>  
19 domain name with Moniker Online Services, a registrar of domain names. This domain name  
20 contains the UFC® Marks.

21          41.     By registering and using the Defendant Domain Names containing Plaintiff's  
22 trademarks, the registrants of the Defendant Domain Names were and are attempting to trade on  
23 the goodwill of Plaintiff.

24          42.     Upon information and belief, the Defendant Domain Names were registered with  
25 the bad faith intent to profit from Plaintiff's marks.

26          43.     The Defendant Domain Names were registered without the consent of Plaintiff.

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1           44.     Upon information and belief, the registrants of the Defendant Domain Names  
2 have no trademark or other intellectual property rights in the Defendant Domain Names.

3           45.     Upon information and belief, the registrants of the Defendant Domain Names  
4 have no prior use of the Defendant Domain Names in connection with the bona fide offering of  
5 any goods or services.

6           46.     Upon information and belief, the registrants of the Defendant Domain Names  
7 made no bona fide non-commercial or fair use of the Defendant Domain Names in a site  
8 accessible under the domain names.

9           47.     Upon information and belief, the registrants of the Defendant Domain Names did  
10 not believe or have reasonable grounds to believe that the use of the Defendant Domain Names  
11 was a fair use or otherwise lawful.

12                                   **COUNT I**  
13                                   (Cybersquatting  
                                  Under the Lanham Act, 15 U.S.C. § 1125(d))

14           48.     Plaintiff incorporates the allegations in the preceding paragraphs as if fully set  
15 forth herein.

16           49.     The registrants of the Defendant Domain Names have registered, trafficked in,  
17 and/or used domain names that are identical or confusingly similar to Plaintiff's UFC® Marks.

18           50.     Upon information and belief, the registrants of the Defendant Domain Names  
19 have or have had a bad faith intent to profit from the UFC® Marks.

20           51.     As a direct and proximate result of such conduct, Plaintiff has suffered and will  
21 continue to suffer, monetary loss and irreparable injury to its business, reputation and goodwill.

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**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays that the Court grant the following relief:

- A. A preliminary and permanent injunction requiring the domain name registrar to transfer the registrations of the Defendant Domain Names to Plaintiff; and
- B. All other relief to which Plaintiff is entitled.

DATED: March 30, 2009.

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